

OFFICE OF  
THE CITY CLERK

September 5, 2019

**Via Email**

Caroline Haskins  
MuckRock News  
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Re: Public Records Act Requests Received on August 12, 2019

Dear Ms. Haskins:

This letter is in response to your request for public records submitted to the City of Rancho Palos Verdes ("City") on August 12, 2019, pursuant to the California Public Records Act (Government Code § 6250, *et seq.*, hereinafter "PRA"), as discussed herein.

Your PRA request seeks records related to the Ring Promotional Discount Agreement as follows:

"1) All calendar invitations, instructional materials, presentations and presentation materials (including recorded video and audio, PowerPoint files, prepared remarks, and slides formats), and other documents that mention Ring devices and/or the Neighbors app. This includes A) any minutes/notes taken during meetings that discussed the use of Ring devices and/or the Neighbors app, B) any explanations (whether internally or externally generated) of how Ring devices and/or the Neighbors app work, and C) any other document that has been used to help explain the use, marketing, or promotion of Ring devices and/or the Neighbors app to any party, including internal documentation, public relations materials, and executive summaries.

"2) A copy of any privacy impact assessments, use policies, standard operating procedures, data retention policies, legal opinions, warranties, non-disclosure agreements, contracts, liability waivers, insurance agreements, Promotional Discount Agreements, Requests for Proposals, Responses to Requests for Proposal, Memorandums of Understanding, Letters of Interest, usage policies, or informal agreements between the city and Ring.

“3) A copy of any funding opportunity announcements, grant applications and grantor status/progress reports, reports to legislative bodies, annual reports that mention Ring or the Neighbors app, as well as audit records, including but not limited to security audits of the software, misuse reports, and reports to oversight bodies.

“4) Any digital communications including but not limited to emails and text messages) as well as documents, (including but not limited to PDF, word processing, excel, and slide documents) that mention Ring or the Neighbors app.

“5) Any digital communications (including but not limited to emails and text messages) with Ring representatives.”

The City has identified records that are responsive to your request and will produce electronic copies of such records on or before September 10, 2019. Please note that certain responsive records are exempt from disclosure and will not be disclosed in their entirety. The following exemptions have been determined to apply:

- A) Communications between an attorney and client in the scope of that relationship are privileged. “The attorney-client privilege, set forth at Evidence Code section 954, confers a privilege on the client ‘to refuse to disclose, and to prevent another from disclosing, a confidential communication between client and lawyer . . . .’” (*Costco Wholesale Corp. v. Superior Court* (2009) 47 Cal.4th 725, 732 [quoting Evid. Code, § 954].) “[T]he fundamental purpose of the attorney-client privilege is the preservation of the confidential relationship between attorney and client . . . .” (Id. at 740-741.)
- B) Any preliminary drafts and notes will be withheld under the drafts exemption and/or the deliberative process privilege. The courts have recognized three policy bases for the “deliberative process” and “draft” exemptions: (1) to protect creative debate and candid consideration of alternatives within an agency, and thereby improve the quality of agency policy decisions; (2) to protect the public from confusion that results from premature exposure to discussions occurring before the policies affecting it have been actually settled upon; and (3) to protect the integrity of the decision-making process itself by confirming that officials are judged by the decisions they make, not for matters considered before they make up their mind. (*California First Amendment Coalition v. Governor Pete Wilson* (1998) 67 Cal. App. 4th 159, 170-71 (citing *Times Mirror Co. v. State of California* (1991) 53 Cal. 3d 1325, 1342); see also *Rogers v. City of Burbank* (1993) 19 Cal. App. 4th 469, 478.)
- C) Personal contact information such as personal phone numbers, emails and addresses have been withheld and/or redacted. Such information is exempt pursuant to Government Code section 6254(c) and 6255, and the state and federal constitutions, in order to protect the privacy of the persons whose names appear in the responsive records.

We believe that the records being made available will complete the City's obligations with respect to your PRA request received on August 12, 2017.

Should you have any questions, please contact our office at (310) 544-5217.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emily Colborn', with a stylized, looping design.

Emily Colborn  
City Clerk